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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/845,618      | 04/30/2001  | Bryce H. Hooker      | 60224/04929         | 2613             |

7590 09/02/2004

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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                               |  |
|------------------------------|-------------------------------|-------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/845,618 | Applicant(s)<br>HOOKER ET AL. |  |
|                              | Examiner<br>Truc T Chuong     | Art Unit<br>2179              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is responsive to Amendment A, filed 05/24/04.
2. Claims 1-25 are pending in this application. In the Amendment A, claims 1, 9, 17, and 25 are independent claims, and claims 1-4, 9-13, 17-21, and 25 are amended. This action is made final.

#### *Claim Objections*

Claim 7 is objected to because of the following informalities: "foil ratting" should be -- formatting-- at line 2. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Kagle (U.S. Patent No. 6,779,153 B1).

As to claim 1, Kagle teaches a method for automatically constructing a customized associate web site, comprising:

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receiving a selection of a set of presentation preferences, the set of presentation preferences being selected from a plurality of predefined sets of presentation preferences (different style templates are selected for creating a web page 321, col. 6 lines 10-20, and figs. 3-4);

receiving via a graphical user interface associate data uniquely describing the associate web site (col. 6 lines 1-29, and figs. 3-4);

assembling the presentation preferences and associate data, thereby creating a customized web site (create the web page based on templates, col. 2 lines 34-45, col. 6 lines 10-19, and figs. 3-4);

presenting a preview of the customized web site (e.g., col. 6 lines 10-19, col. 7 lines 1-11); and

publishing the customized web site (Generation of the HTML file to create the Web page, col. 9 lines 25-33, and fig. 8).

As to claim 2, Kagle teaches a method according to claim 1 wherein the step of receiving presentation preferences includes displaying a plurality of previews, each preview associated with one of the plurality of predefined sets of presentation preferences (the Web site 321 will change to different previews when any style template is selected, col. 5 line 66-col. 6 line 9, and fig. 3), and receiving a selection of one of the displayed previews representing a set of presentation preferences predefined by a firm affiliated with the associate (e.g., col. 5 line 66-col. 6 line 19, and figs. 3-4).

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As to claim 3, Kagle teaches a method according to claim 1 wherein the step of receiving associate data includes receiving a selection of pages the associate elects to include in the web site (col. 5 line 66-col. 6 line 19, and figs. 3-4).

As to claim 4, Kagle teaches a method according to claim 1 wherein the step of receiving associate data includes identifying pages which a firm affiliated with the associate requires to be included in the web site (each icon from 311a-1 representing a style template and only appropriate data related to that style template will be presented, e.g., style icon 311b is a graphical image for text-only style template, col. 6 lines 1-9, and figs. 3-4).

As to claim 5, Kagle teaches method according to claim 1 wherein the step of receiving associate data includes identifying an order of pages to display (Tree View command of figs. 3-4).

As to claim 6, Kagle teaches a method according to claim 1 wherein the step of receiving associate data includes identifying information blocks to display on a page of the web site (it can be rejected under similar rationale as claim 4 above).

As to claim 7, Kagle teaches a method according to claim 6 wherein the step of receiving associate data further includes receiving formatting instructions regarding information blocks to display on a page of the web site (HTML templates are formatting commands that accomplish the style selected by the user, e.g., col. 2 lines 46-49).

As to claim 8, Kagle teaches a method according to claim 1 wherein the step of receiving associate data includes identifying the order of information blocks to display on a page of the web site (it can be rejected under similar rationale as claim 4 above).

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As to claims 9-16, they are apparatus claims of method claims 1-8. Note the rejections of claims 1-8 above respectively.

As to claims 17-24, they are similar in scope to the apparatus claims 9-16 above; therefore, rejected under similar rationale.

As to claim 25, this is a program product claim of method claim 1. Note the rejection of claim 1 above.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753, and starting October 2004, a new telephone number will be 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 703-308-5186, and starting October 2004, a new telephone number will be 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

08/30/04

BA HUYNH  
PRIMARY EXAMINER